

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRUSTEES OF THE NATIONAL ELEVATOR :
INDUSTRY PENSION, HEALTH BENEFIT:
AND EDUCATIONAL FUNDS, :

Plaintiffs, :

v. : CIVIL ACTION NO. 02-3597

VER-TRANS ELEVATOR CO. :

Defendant. :

PRAECIPE TO DISMISS

Plaintiffs, Trustees of the National Elevator Industry Pension, Health Benefit and Educational Funds, respectfully request that the Court dismiss this action pursuant to Rule 41 of the Federal Rules of Civil Procedure.

DATE: July 17, 2002

Respectfully submitted,

O'DONOGHUE & O'DONOGHUE
Constitution Place, Suite 515
325 Chestnut Street
Philadelphia, PA 19106
Telephone (215) 629-4970
Facsimile (215) 629-4996

By: _____
Robert P. Curley
Attorney I.D. No. 55760

By: David D. Capuano
Attorney I.D. No. 70238

Attorneys for Plaintiffs